

## ASSIGNMENT

WHEREAS,

Mr. Hironori TOMI, a citizen of Japan, residing at 8-3, Ichiriyama 4-chome, Otsu-shi, SHIGA 520-2153 JAPAN;

Mr. Masaru YOSHIDA, a citizen of Japan, residing at 2, Okukaiinji Jyoge, Nagaokakyo-shi, KYOTO 617-0853 JAPAN; and

Mr. Kouichi KISHIDA, a citizen of Japan, residing at 43-1, Nanbucho, Fushimi-ku, Kyoto-shi, KYOTO 612-8059 JAPAN,

hereinafter called "ASSIGNORS", represent that they have invented and own a new and original invention entitled COMPOSITIONS FOR RECOVERING HYPOFERTILITY, for which an application for Letters Patent of United States is being filed concurrently herewith, a copy of said application being attached hereto;

WHEREAS,

NIPPON SHINYAKU CO., LTD., a corporation duly chartered under the laws of Japan, having a place of business at 14 Kisshoin Nishinosho Monguchicho, Minami-ku, Kyoto-shi, KYOTO 601-8550 JAPAN,

hereinafter called "ASSIGNEE", desires to acquire the entire right, title and interest in, to and under said invention and any United States Letters Patent which may be obtained therefore;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: be it known that for and in them hand paid, and of good and valuable consideration by ASSIGNEE to the ASSIGNORS, the receipt of all of which is hereby acknowledged, the said ASSIGNORS hereby sell, assign and transfer to ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest in and to said invention and any and all Letters Patent of the United States to be obtained therefore on said application or and any divisional, continuation, or continuations-in-part, renewal, substitute or reissue thereof for the full term of terms for which the same may be granted; and all Letters Patents and applications therefore through the world, including all the rights accruing by virtue of the International Convention for the Protection of Industrial Property.

ASSIGNORS hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNORS further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters patent as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce said application, said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof.

Dated: OCT. 15, 2001

Hironori Tomi Oct. 15. 2001  
Hironori TOMI

Dated: October 15, 2001

Laniki Mori  
Witness

Dated: OCT. 15, 2001

Masaru Yoshida Oct 15. 2001  
Masaru YOSHIDA

Dated: October 15, 2001

Laniki Mori  
Witness

Dated: OCT. 15, 2001

Kouichi Kishida Oct. 15. 2001  
Kouichi KISHIDA

Dated: October 15, 2001

Laniki Mori  
Witness

## Declaration and Power of Attorney for Patent Application

### 特許出願宣言書及び委任状

### Japanese Language Declaration

### 日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### Compositions For Recovering

### Hypofertility

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない：

☐ \_\_\_\_\_ の日に出願され、  
この出願の米国出願番号またはPCT国際出願番号は、  
\_\_\_\_\_ であり、且つ  
\_\_\_\_\_ の日に補正された出願（該当する場合）

the specification of which is attached hereto unless the following box is checked:

is filed concurrently herewith

☐ was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編規則1.56に定義されている、特許性について重要な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231

# Japanese Language Declaration (日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一国を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日より前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Prior Foreign Application(s)

外国での先行出願

Hei-11/128,335

Japan

10/5/99

Priority Not Claimed

優先権主張なし

(Number)  
(番号)

(Country)  
(国名)

(Day/Month/Year Filed)  
(出願日/月/年)

☐

(Number)  
(番号)

(Country)  
(国名)

(Day/Month/Year Filed)  
(出願日/月/年)

☐

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された態様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定義された特許性に関わる重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(現況: 特許許可、係属中、放棄)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(現況: 特許許可、係属中、放棄)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

# Japanese Language Declaration (日本語宣言書)

委任状: 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

書類送付先

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Reg. No. 31,900  
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New York, New York 10022

直通電話連絡先: (氏名及び電話番号)

Direct Telephone Calls to: (name and telephone number)  
Eugene C. Rzucidlo, Esq.  
212-801-2146

唯一または第一発明者氏名

Full name of sole or first inventor  
Hironori TOMI

発明者の署名

日付

Inventor's signature

Date

住所

Hironori Tomi

Oct. 15, 2001

Residence

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Citizenship

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Shiga 520-2153 Japan

第二共同発明者がいる場合、その氏名

Full name of second joint inventor, if any

第二共同発明者の署名

日付

Masaru YOSHIDA

Second inventor's signature

Date

住所

Masaru Yoshida

Oct. 15, 2001

Residence

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Kyoto, Japan

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2, Okukaiinji Jyoge, Nagaokakyo-shi

Kyoto 617-0853 Japan

(第三以下の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

# Japanese Language Declaration (日本語宣言書)

委任状： 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁理士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

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Send Correspondence to:

直通電話連絡先：(氏名及び電話番号)

Direct Telephone Calls to: (name and telephone number)

唯一または第一発明者氏名

Full name of sole or first inventor

Kouichi KISHIDA

発明者の署名

日付

Inventor's signature

Date

住所

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Kyoto 612-8059 Japan

第二共同発明者がいる場合、その氏名

Full name of second joint inventor, if any

第二共同発明者の署名

日付

Second inventor's signature

Date

住所

Residence

国籍

Citizenship

郵便の宛先

Post Office Address

(第三以下の共同発明者についても同様に記載し、署名すること)

(Supply similar information and signature for third and subsequent joint inventors.)